

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

18 May 1999

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Nancy Mincello, Robert V. Perkins and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Terry Wood, Deputy City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

.....

The Manager recognized Dorothy Preston, employee in the Personnel Department, who served as courier for the meeting.

.....

The Mayor outlined the procedures for the conduct of the meeting.

.....

The City Manager presented Juanita F. Cooper, City Clerk, with an Advanced Academy of Education Certification Award from the International Institute of Municipal Clerks(IIMC). He stated that Mrs. Cooper was already a Certified Municipal Clerk; her continued education and professional development had qualified her for acceptance into the Academy for Advanced Education; and less than 15% of the IIMCs' 10,000 members had achieved this level of recognition. The Manager and Council commended and congratulated Mrs. Cooper for her outstanding achievement and service.

.....

The Mayor introduced Roger Beam of the Community Foundation of Greater Greensboro's Mayor's Ad Hoc Slogan Committee. Mr. Beam announced the outcome of the Committee's recent "Theme of Shared Vision" essay contest for eighth graders. Five \$1000 scholarships were awarded from Alltel Corporation to runner up contestant winners: Robbie Bernstein, Eric May, Brittany Fisher, Ben Parsons, and Jessica Story, from various middle schools. The Mayor and representatives from the Committee and Guilford County School System presented Jamie Hawk, of Northwest Middle School, with the first place award of a \$5,000 scholarship for her winning slogan and essay titled "Greensboro, Gateway to the Future".

.....

Mayor Allen stated that this was the time and place set for a public hearing for adoption of the 1999-2000 Annual Budget and asked if anyone wished to speak to this matter.

Robert Coke, residing at 2939 Marthas Place, requested the City purchase new buses with low polluting engines instead of the current diesel engine type. Terry Bellamy, Operations Manager of the Department of Transportation, spoke to the Transportation Department's existing purchase plans for the upcoming budget cycle.

David Pratto, residing at 413 South Chapman Street, requested the City continue funding Greensboro Community Television (GCTV) and stated that he estimated GCTV would need \$50,000 for the coming year.

.....

Chester Brown, Jr., residing at 440 West Market Street and speaking on behalf of the Triad Building Industry Coalition, requested Council to reconsider fee increase amounts proposed by the Planning Department. In response to requests made by Councilmember Perkins, the City Manager advised the proposed fee increase schedule could be decided at a later date and still be implemented for an effective date of October 1, 1999. The Manager also stated that a study of planning processes involving citizens was in progress and that the results would be provided to Council.

.....

Nita Almon, residing at 3106 Collier Drive, spoke on behalf of the Lindley Park Neighborhood Association and their work on the eastern portion of Lindley Park. She asked Council to support capital funding improvements the Association had planned for the western portion of Lindley Park. Councilmembers expressed appreciation to members of the Lindley Park Neighborhood Association.

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family and Conditional Use-RM-8 Residential Multifamily to Conditional Use-RM-8 Residential Multifamily with specific uses for property located on the northwest side of Pisgah Church Road west of Willoughby Boulevard. She stated that this matter was being heard on an appeal filed by Henry Isaacson after receiving a 4-3 vote from the Zoning Commission to recommend denial of the rezoning.

The Mayor administered the oath to those who wished to speak to the matter.

C. Thomas Martin, Planning Director, spoke to details of the rezoning request regarding limiting uses to 43 town houses designed for sale and including specific conditions. He noted that under the present zoning the primary use was limited to assisted living or congregate care facilities; and stated that an amendment to the proposed conditions of the rezoning had just been submitted.

Mr. Martin provided the following staff recommendation:

This request is to rezone property from Conditional Use – RM-8 Residential Multifamily to Conditional Use – RM-8 Residential Multifamily.

The RM-8 District is primarily intended to accommodate duplexes, townhouses, cluster housing, and similar residential uses at a density of 8.0 units per acre or less.

The existing CU-RM-8 District contains the conditions which are listed on the agenda and in your copy of the staff report:

- 1) Uses limited to an assisted living facility (congregate care) and all accessory uses.
- 2) There shall be one (1) curb cut on Pisgah Church Road as approved by GDOT and NCDOT.
- 3) The planting buffer between the subject property and the adjoining property on the west, north and east sides shall be a minimum of thirty (30) feet in width and the rate of shrub planting and minimum caliper of canopy trees shall be doubled (34 per 100 and 4 inches, respectively).
- 4) Along the frontage of Pisgah Church Road the average depth of the street planting yard shall be thirty (30) feet and the planting rate shall be that which is normally required for a street planting yard.
- 5) There shall be one (1) principal building, one (1) story in height.

- 6) The building shall be constructed of masonry and siding.
- 7) Light fixtures around the perimeter of this site shall be designed so that lighting shall be limited to the site, to the extent possible.
- 8) There shall be an irrigation system installed in front of the building and in the street planting yard.
- 9) The minimum building setback shall be increased to one hundred (100) feet from the right-of-way of Pisgah Church Road.
- 10) There shall be at least one trash compactor which shall be screened by appropriate landscaping.
- 11) The minimum interior setback shall be fifty (50) feet.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses limited to townhomes for sale.
- 2) There shall be a maximum of forty-three (43) townhome units on the subject property.
- 3) Townhomes shall be a maximum of two stories in height.
- 4) All townhomes shall be of brick construction.
- 5) The rear of each townhome unit will be enclosed by a wooden or brick privacy fence.
- 6) There shall be one curb cut on Pisgah Church Road as approved by GDOT and NCDOT.
- 7) The planting buffer between the subject property and the adjoining properties on the west, north and east sides shall be a minimum of twenty (20) feet in width and the rate of shrub planting and minimum caliper of canopy trees shall be doubled (34 per 100 and 4 inches, respectively).
- 8) Along the frontage of Pisgah Church Road the average depth of the street planting yard shall be thirty (30) feet and the planting rate shall be that which is normally required for a street planting yard.
- 9) There shall be an irrigation system installed in the planting yard along Pisgah Church Road.
- 10) There shall be no trash compactors or “dumpsters” on the subject property.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 7.2 acres and is located on the northwest side of Pisgah Church Road west of Willoughby Boulevard.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-12, CU-RM-8	Mostly vacant land with 1 single family dwelling
North	RS-12	Single family dwelling & vacant land
East	RS-12	Single family dwelling + vacant land
South	RS-12	3 single family dwellings
West	RS-12	7 single family dwellings

Mr. Martin stated that the Planning Department and Zoning Commission had recommended denial of the request. He thereupon presented slides of the property and surrounding areas.

The Mayor asked if anyone wished to speak to this matter.

Henry Isaacson, practicing attorney at 101 West Friendly Avenue, spoke on the behalf of several clients; distributed a handout to Council regarding the proposed rezoning; and requested Council to add the following conditions to the proposed ordinance: *all townhomes shall have an enclosed two car garage and that the tree plantings along the west side shall consist of a combination of Leyland Cypress (which will be treated as understory trees) and canopy trees.*

Councilmember Johnson moved to amend the ordinance to reflect the proposed amendments as requested by Mr. Isaacson. Councilmember Holliday seconded the motion; the motion was unanimously adopted by voice vote of Council.

For illustrative purposes, Mr. Isaacson showed slides of previous projects completed by a potential builder and other areas with similar mixes of land use. He spoke to various aspects of the rezoning request including traffic, land use density and the number of people supported the rezoning. He recommended the Pisgah Church Corridor Study be used only as a guideline for development and requested Council approve the rezoning request.

Todd Isenhour, a potential builder, residing at 3401 Healy Drive in Winston- Salem, spoke to his work history and reputation; physical elements of the construction plans such as building and land buffer size; topography of the property and the potential impact of proposed townhomes on the area. He asked Council to support the rezoning.

Area residents speaking in favor of the rezoning included Bobby Hill, residing at 3925 Merton Road; Michael S. Becker, Jr., residing at 1810 Natchez Trace Court; and Alfreima Chambers, residing at 1330 Alamance Church Road. They commented briefly on the impact the rezoning would have on the neighborhood and requested that Council support the rezoning.

The following citizens from the neighborhood of the proposed rezoning spoke against the rezoning request: Robert E. Wilson, residing at 3710 Bontura Drive; Peter Campbell, residing at 1537 Bontura Drive, Gay Cheney, residing at 3 Natchez Trace Court; David Carpenter, residing at 3711 Bontura Drive; Kent Tager, residing at 4 Dunleaf Court; and Doug Harris, residing at 1690 Natchez Trace Court.

A sizeable group of people in the Chamber stood to show their opposition to the proposed rezoning.

Lengthy discussion followed , which included values, styles of homes and characteristics of the Natchez Trace Neighborhood; concerns about traffic impact and the view of proposed townhomes from back yards of existing residences; the purpose of the proposed rezoning; changing the Zoning Commission's and Planning Board's recommendations; and conflict of the proposed rezoning with the Pisgah Church Corridor Study recommendations. Citizens requested that the City buy the property for green space and asked Council to request a unified plan to address development of the proposed rezoning property and other surrounding property.

Following additional discussion among Council members with respect to the proposed construction project and land use, Mr. Martin advised Council that only uses or conditions contained within the ordinance could be considered when finding fact to approve or deny the rezoning. He stated that any information submitted to Council for illustrative purposes could not be considered as fact.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be denied. A portion of this property was rezoned to CU-RM-8 for an assisted living facility by City Council in November 1996. It was appealed to the City Council after the Zoning Commission had recommended approval in September 1996. The Planning Department had recommended denial of that request since it was inconsistent with the Pisgah Church Road – Lees Chapel Road Corridor Plan. One of the recommendations contained in the plan was that a high-value single family residential area should be developed north of Pisgah Church Road along and near the proposed Willoughby Boulevard Extension. As staff felt at the time of the initial rezoning, this area should remain zoned for single family uses to honor that recommendation. Staff felt that introducing multifamily zoning at this location would completely undermine that key element of the corridor plan. Since the assisted living facility is no longer viable, staff feels that this property could be returned to a single family classification which would be compatible with the spirit and intent of the plan as opposed to increasing the amount of land zoned multifamily and the density of dwellings in this area.

Councilmember Jones moved that the amended ordinance rezoning this property to Conditional Use-RM-8 Residential Multifamily with specific uses for property located on the northwest side of Pisgah Church Road west of Willoughby Boulevard be adopted based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health and safety.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because the development is in conformity with the neighborhood and the developing nature of the neighborhood.
- 3) That the location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because the proposed development of the property is consistent with the residential character of the area north of Pisgah Church Road and the trends established with the area.

The motion was seconded by Councilmember Johnson; The motion to adopt the ordinance as amended was approved on a roll call vote as follows: Ayes: Allen, Burroughs-White, Carmany, Holliday, Jones, Johnson, Mincello, Perkins. Noes: Vaughan.

99-69 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF
CONDITIONAL USE PERMIT

NORTHWEST SIDE OF PISGAH CHURCH ROAD WEST OF WILLOUGHBY BOULEVARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family and Conditional Use - RM-8 Residential Multifamily to Conditional Use - RM-8 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point, said point being in the centerline of Pisgah Church Road and being the southwest corner of Hayes Heirs as described and recorded in Deed Book 1307, Page 448 in the Office of the Register of Deeds of Guilford County, thence with the west line of said Hayes Heirs N16°05'24"W 40.36 feet to a point, said point being the southeast corner of Lenwood Cobb as described and recorded in Deed Book 1307, Page 488 in said Office of the Register of Deeds; thence with the east line of said Lenwood Cobb the following two calls: N16°05'24"W 159.64 feet to a point and N11°19'12"W 250.35 feet to a point, said point being the northeast corner of said Lenwood Cobb, the northeast corner of Pearlie Mae Cobb as described and recorded in Deed Book 2180, Page 457 in said Office of the Register of Deeds, the southeast corner of Lot 81 of Natchez Trace Subdivision as recorded in Plat Book 65, Page 8 and a corner of said Hayes Heirs; thence with the east line of said Natchez Trace Subdivision the following four calls: N10°37'18"E 221.04 feet to a point, said point being a corner of Lot 82 of said Natchez Trace Subdivision and the northwest corner of said Hayes Heirs; thence N10°40'56"E 156.04 feet to a point, said point being the northeast corner of Lot 83 and the southeast corner of Lot 84 of said Natchez Trace Subdivision; thence N14°25'26"W 210.86 feet to a point, said point being the northeast corner of Lot 86 and the southeast corner of Lot 87 of said Natchez Trace Subdivision; thence N06°31'49"E 122.36 feet to a point, said point being the northeast corner of Lot 87 of said Natchez Trace Subdivision and being on the south margin of Natchez Trace; thence with the south margin of Natchez Trace S87°58'53"E 99.46 feet to a point; thence N10°40'56"E 50.88 feet to a point; thence N10°42'32"E 35.13 feet to a point, said point being the northwest corner of Greensboro Waterline Associates as described and recorded in Deed Book 3619, Page 1401 and a corner of Lot 85 of the Charles S. Routh Subdivision as recorded in Plat Book 19, Page 2 in said Office of the Register of Deeds; thence with the west line of said Charles S. Routh Subdivision S62°04'12"E 40.00

feet to a point; thence S01°07'17"W 114.40 feet to a point; thence S17°00'30"E 201.49 feet to a point; thence S19°08'00"E 456.16 feet to a point; thence S26°25'43"E 100.54 feet to a point; thence S26°31'59" 35.63 feet to a point; thence S27°08'39"E 153.82 feet to a point, said point being on the north margin of Pisgah Church Road; thence S27°08'39"E 40.08 feet to a point, said point being in the centerline of said Pisgah Church Road; thence with the centerline of Pisgah Church Road the following three calls: S71°37'35"W 269.28 feet to a point; thence S69°51'15"W 100.08 feet to a point, said point being the southwest corner of said Greensboro Waterline Associates and the southeast corner of said Hayes Heirs; thence S61°49'33"W 94.17 feet to the point and place of BEGINNING and containing 7.5 acres more or less.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to townhomes for sale.
- 2) There shall be a maximum of forty-three (43) townhome units on the subject property.
- 3) Townhomes shall be a maximum of two stories in height.
- 4) All townhomes shall be of brick construction.
- 5) All townhomes shall have an enclosed two car garage.
- 6) The rear of each townhome unit will be enclosed by a wooden or brick privacy fence.
- 7) There shall be one curb cut on Pisgah Church Road as approved by GDOT and NCDOT.
- 8) The planting buffer between the subject property and the adjoining properties on the west, north and east sides shall be a minimum of twenty (20) feet in width and the rate of shrub planting and minimum caliper of canopy trees shall be doubled (34 per 100 and 4 inches, respectively). The tree plantings along the west side shall consist of a combination of Leyland Cypress (which will be treated as understory trees) and canopy trees.
- 9) Along the frontage of Pisgah Church Road the average depth of the street planting yard shall be thirty (30) feet and the planting rate shall be that which is normally required for a street planting yard.
- 10) There shall be an irrigation system installed in the planting yard along Pisgah Church Road.
- 11) There shall be no trash compactors or "dumpsters" on the subject property.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Earl Jones

.....

The Mayor declared a five minute recess at 8:10 p.m. The meeting reconvened at 8:15 p.m.

.....

The Mayor thanked Rusty Hughes, of the Technology & Facilities Department, for technical assistance with the Chamber clock system that had malfunctioned earlier in the meeting.

.....

Mayor Allen stated that this was the time and place set for a public hearing to confirm a resolution authorizing an assessment roll for water main improvements on Southlake Drive from Fleming Road to Northlake Drive.

The Mayor asked if anyone wished to speak to this matter.

Steve Kennedy, Director of Engineering and Inspections advised the Council that one parcel, owned by Mr. George Campbell, on this resolution tax map I-32-M-860-187, was an unbuildable lot. He stated further that this lot had been on a preliminary assessment roll in 1991 and received the Council's approval to hold the assessments for this parcel in abeyance. Mr. Kennedy recommended that the Council approve the resolution confirming assessment roll under the condition that this parcel would be held in abeyance until such time if ever the owner connected to the lines in question.

Councilmember Perkins moved adoption of the resolution subject to the lot owned by Mr. Campbell being held in abeyance. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

81-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

SOUTHLAKE DRIVE FROM FLEMING ROAD TO NORTHLAKE DRIVE

WHEREAS, on the 15th day of November, 1993, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

SOUTHLAKE DRIVE

Fleming Rd to Northlake Dr (Page 1 of 2)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll

may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Robert V. Perkins

.....

Mayor Allen stated that this was the time and place to consider a resolution confirming an assessment roll for sanitary sewer improvements on Southlake Drive from Pinehaven Drive Outfall to Northlake Drive.

The Mayor asked if anyone wished to speak to this matter. There being no speakers, Councilmember Carmany moved adoption of the resolution; the motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

82-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

SOUTHLAKE DRIVE FROM PINEHAVEN DRIVE OUTFALL TO NORTHLAKE DRIVE

WHEREAS, on the 15th day of November, 1993, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Sanitary Sewer Improvements. That a sanitary sewer main of 8-inch size be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including water laterals where none exist and water main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

SOUTHLAKE DRIVE
Fleming Rd to Northlake Dr

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.

2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.

3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Sandy Carmany

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for water main improvements on Stanley Road from an existing water main approximately 300 feet south of Eagle Road to Beechcroft Drive.

The Mayor asked if anyone wished to speak to this matter. There being no speakers, Councilmember Johnson moved adoption of the resolution; the motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

83-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

STANLEY ROAD FROM AN EXISTING WATER MAIN APPROXIMATELY 300 FEET SOUTH OF EAGLE ROAD TO BEEHCROFT DRIVE

WHEREAS, on the 6th day of February, 1995, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

STANLEY ROAD

Huntmaster Trail to Existing 8" Sewer
From: Sta: 4 + 00 to Sta: 15 + 00
Appx. 300' S/Eagle Rd. to Beechcroft (Water)

STANLEY ROAD
Huntmaster Trail to Existing 8" Sewer
From: Sta: 15 + 00 to Sta: 26 + 00
Appx. 300' S/Eagle Rd. to Beechcroft (Water)

STANLEY ROAD
Huntmaster Trail to Existing 8" Sewer
From: Sta: 26 + 00 to Sta: 36 + 00
Appx. 300' S/Eagle Rd to Beechcroft (Water)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Yvonne J. Johnson

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for sanitary sewer improvements on Stanley Road from Hilltop Road to approximately 450 feet north of Hilltop Road (from 4900 Hilltop Road to and including 2508 Stanley Road).

The Mayor asked if anyone wished to speak to this matter. There being no speakers, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen,

Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

84-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

STANLEY ROAD FROM HILLTOP ROAD TO APPROXIMATELY 450' NORTH OF HILLTOP ROAD (FROM 4900 HILLTOP ROAD TO AND INCLUDING 2508 STANLEY ROAD)

WHEREAS, on the 4th day of February, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Sanitary Sewer Improvements. That a sanitary sewer main of 8-inch size be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including water laterals where none exist and water main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

STANLEY ROAD

4900 Hilltop Rd to 2508 Stanley Rd
Hilltop Road to Beechcroft

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent

installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Claudette Burroughs-White

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for water main improvements on Stanley Road from Hilltop Road to Beechcroft (from 4900 Hilltop Road to and including 2500 Stanley Road).

Mayor Allen asked if anyone wished to speak to this matter. There being no speakers, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

85-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

STANLEY ROAD FROM HILLTOP ROAD TO BEECHCROFT (FROM 4900 HILLTOP ROAD TO AND INCLUDING 2500 STANLEY ROAD)

WHEREAS, on the 4th day of February, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

STANLEY ROAD

4900 Hilltop Rd to 2508 Stanley Rd
Hilltop Road to Beechcroft

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Sandy Carmany

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider confirming an assessment roll for sanitary sewer improvements on Stanley Road from Huntmaster Trail to existing 8" sewer line.

The Mayor asked if anyone wished to speak to this matter. There being no speakers, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

86-99 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

STANLEY ROAD FROM HUNTMASTER TRAIL TO EXISTING 8" SEWER LINE

WHEREAS, on the 19th day of June, 1995, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Sanitary Sewer Improvements. That a sanitary sewer main of 8-inch size be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including water laterals where none exist and water main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

STANLEY ROAD
Huntmaster Trail to Existing 8" Sewer
From: Sta: 4 + 00 to Sta: 15 + 00
Appx. 300' S/Eagle Rd. to Beechcroft (Water)

STANLEY ROAD
Huntmaster Trail to Existing 8" Sewer
From: Sta: 15 + 00 to Sta: 26 + 00
Appx. 300' S/Eagle Rd. to Beechcroft (Water)

STANLEY ROAD
Huntmaster Trail to Existing 8" Sewer

From: Sta: 26 + 00 to Sta: 36 + 00
Appx. 300' S/Eagle Rd to Beechcroft (Water)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 18th day of May, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Sandy Carmany

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution closing Leo Drive, from 479 feet northwest of Kenion Drive to its end, a distance of approximately 510 feet.

The Mayor asked if anyone wished to speak to this matter. There being no speakers, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

87-99 RESOLUTION CLOSING LEO DRIVE, FROM 479 FEET NORTHWEST OF KENION DRIVE NORTHWESTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 510 FEET

WHEREAS, the owner of all of the property abutting both sides of Leo Drive, from 479 feet northwest of Kenion Drive northwestward to its end, a distance of approximately 510 feet has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 18, 1999 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

LEO DRIVE, FROM 479 FEET NORTHWEST OF KENION DRIVE NORTHWESTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 510 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Earl Jones

.....

Moving to the Consent Agenda, the Mayor read the following ordinances as required by the Greensboro Code of Ordinances:

- Ordinance amending Chapter 28.1 of the Greensboro Code of Ordinances with respect to Telecommunications to add language
- Ordinance changing name of street from Hungheister Street between Clay Street and Wilcox Drive to Low Meadow Lane
- Ordinance establishing in the amount of \$14,720 a grant budget for new equipment at the Smith Senior Center
- Ordinance establishing in the amount of \$36,000 a grant budget for Lake Brandt Greenway Phase III Extension
- Ordinance establishing in the amount of \$10,000 a grant budget for a downtown tree inventory and management plan
- Ordinance establishing in the amount of \$18,695 a grant budget for facility improvements and an advertising initiative for the Curb Market

- Ordinance amending in the amount of \$438,800 state and federal grant fund budget for the purpose of construction of reinforced concrete dike at the North Buffalo Wastewater Treatment Facility

The Mayor thereupon requested a motion to approve the ordinances, resolutions and motions on the Consent Agenda. Councilmember Vaughan moved the adoption of the Consent Agenda; the motion was seconded by Councilmember Perkins; the Consent Agenda was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

.....

99-70

AMENDING CHAPTER 28.1

AN ORDINANCE AMENDING CHAPTER 28.1 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO TELECOMMUNICATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Chapter 28.1-3 of the Greensboro Code of Ordinances is hereby amended by adding the following language:

Private Line Service means those telecommunication services provided solely by grantee to facilities of the grantee for the grantee's own use.

Section 2. That Chapter 28.1-18 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (a)(5) as follows:

- (5) For telecommunications systems providing long distance network service only, the annual compensation payable to the grantor shall be in the amount of three dollars (\$3.00) per linear foot of public right-of-way, whether aerial or underground, for the installed system.

Section 3. That Chapter 28.1-18 of the Greensboro Code of Ordinances is hereby amended by adding a new subsection (a) (6) to read as follows:

- (6) For telecommunications systems providing private line service only the annual compensation payable to the grantor shall be in the amount of Three Dollars (\$3.00) per linear foot of public right-of-way, whether aerial or underground, for the installed system.

Section 4. That Chapter 28.1-18 of the Greensboro Code of Ordinances is hereby amended by adding a new subsection (a) (7) to read as follows:

- (7) Exemptions - Per NCGS 160A-274 government or governmental entities owning telecommunications systems which provide governmental telecommunications services to governmental facilities shall be exempt from Section 28.1-18, franchise fees.

Section 5. That Chapter 28.1-18 of the Greensboro Code of Ordinances is hereby amended by adding a new subsection (g) to read as follows:

(g) *Advance Payment*: Telecommunication systems providing long distance or private line service may prepay the annual fee up to five (5) years in advance.

Section 6. That Chapter 28.1-59 of the Greensboro Code of Ordinances is hereby amended by adding a new subsection (d)(6) to read as follows:

- (6) Appropriate tagging to City standards.

Section 7. That all laws and clauses of laws in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 8. That this Ordinance shall become effective immediately upon adoption.

(Signed) Donald R. Vaughan

.....

99-71 AN ORDINANCE CHANGING NAME OF STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME	PORTION	NEW NAME
Hungheister Street	Between Clay Street and Wilcox Drive	Low Meadow Lane

(Signed) Donald R. Vaughan

.....

99-72 ORDINANCE ESTABLISHING A GRANT BUDGET FOR NEW
EQUIPMENT AT SMITH SENIOR CENTER

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5007-12.5214	Office Equipment & Furniture	\$9,720
220-5007-12.5613	Capital Equipment	<u>5,000</u>
TOTAL		\$14,720

and, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5007-12.9101	Transfer from P&R General Fund	\$1,475
220-5007-12.7110	State Grant	<u>13,245</u>
TOTAL:		\$14,720

(Signed) Donald R. Vaughan

.....

99-73 ORDINANCE ESTABLISHING A GRANT BUDGET FOR LAKE BRANDT
GREENWAY PHASE III EXTENSION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5018-03.5627	Maintenance and Repair Other	\$30,000
220-5018-03.5928	In-Kind Services	<u>6,000</u>
TOTAL		\$36,000

and, that this increase be financed by increasing the following State and Federal Grant Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5018-03.7110	State Grant	\$30,000
220-5018-03.8695	Local In-Kind Services	<u>6,000</u>
TOTAL:		\$36,000

(Signed) Donald R. Vaughan

.....

99-74 ORDINANCE ESTABLISHING A GRANT BUDGET FOR A DOWNTOWN TREE INVENTORY AND MANAGEMENT PLAN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5023-60.5413	Consultant Services	\$10,000

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5023-60.7110	State Grant	\$10,000

(Signed) Donald R. Vaughan

.....

99-75 ORDINANCE ESTABLISHING A GRANT BUDGET FOR FACILITY IMPROVEMENTS AND AN ADVERTISING INITIATIVE FOR THE CURB MARKET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5023-06.5279	Promotions/Other	\$5,000
220-5023-06.5613	Maint and Repair Buildings	9,195
220-5023-06.6019	Capital Equipment	<u>4,500</u>

TOTAL \$18,695

and, that this increase be financed by increasing the following State and Federal Grant Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5023-06.9101	Transfer from P&R General Fund	\$5,695
220-5023-06.7110	State Grant	<u>13,000</u>

TOTAL: \$18,695

(Signed) Donald R. Vaughan

.....

99-76 ORDINANCE AMENDING STATE AND FEDERAL GRANTS FUND BUDGET FOR THE PURPOSE OF CONSTRUCTION OF REINFORCED CONCRETE DIKE AT THE NORTH BUFFALO WASTEWATER TREATMENT FACILITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7051-01.6019	Other Improvements	\$438,800

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7051-01.7100	Federal Grant	\$356,975
220-7051-01.9101	Transfer from Water Resources	<u>81,825</u>

TOTAL: \$438,800

(Signed) Donald R. Vaughan

.....

88-99 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 1999-07 WITH MAPCO INC. FOR STORM SEWER IMPROVEMENTS

WHEREAS, after due notice, bids have been received for storm sewer improvements for the Wharton Street Outfall, Pack School Outfall, E. Market Street (Church to Murrow) and Spring Garden Street at Eugene Court projects;

WHEREAS, MAPCO, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$272,977.06 as general contractor for Contract No. 1999-07, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by MAPCO, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 203-6503-02.5427.

(Signed) Donald R. Vaughan

(A tabulation of bids for the storm sewer improvements is filed with the above resolution and is hereby referred to and made a part of these minutes).

.....

89-99 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 1999-11 WITH THOMPSON-ARTHUR PAVING COMPANY, INC. FOR NEW GARDEN ROAD AT HOBBS ROAD LEFT TURN LANE IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for storm sewer improvements for the New Garden Road at Hobbs Road left turn lane improvements project;

WHEREAS, Thompson-Arthur Paving Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$105,365.00 as general contractor for Contract No. 1999-11, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Arthur-Thompson Paving Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 431-6002-46.6014 CBR 080.

(A tabulation of bids for the roadway improvements is filed with the above resolution and is hereby referred to and made a part of these minutes).

(Signed) Donald R. Vaughan

.....

90-99 RESOLUTION APPROVING ASSUMPTION OF A LOAN IN THE AMOUNT OF \$215,000.00 BY THE GREATER GREENSBORO HOUSING FOUNDATION FROM GREENSBORO EPISCOPAL HOUSING MINISTRY FOR 11 UNITS LOCATED AT 1225 BINGHAM STREET AND 316 ENGLISH STREET

WHEREAS, Greensboro Episcopal Housing Ministry obtained a non-interest bearing second mortgage in the amount of \$215,000 for the rehab of eleven 2 bedroom units located at 225 Bingham Street and 316 English Street on February 24, 1993, from the City;

WHEREAS, the terms of the loan require payment of 60% of annual gross receipts terminating on February 1, 2023;

WHEREAS, Greensboro Episcopal Housing Ministry has agreed to transfer the said properties for the appraised equity to The Greater Greensboro Housing Foundation, subject to the existing first and second mortgage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the assumption of the above referenced loan by the Greater Greensboro Housing Foundation is hereby approved.

(Signed) Donald R. Vaughan

.....

91-99 RESOLUTION CALLING A PUBLIC HEARING FOR JUNE 1, 1999, ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED WEST OF THE INTERSECTION OF BASS CHAPEL ROAD AND LAKE JEANETTE ROAD – 9.519 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 18th day of May, 1999, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED WEST OF THE INTERSECTION OF BASS CHAPEL ROAD AND LAKE JEANETTE ROAD – 9.519 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an iron pipe in the northern 60 foot right-of-way for Lake Jeanette Road S.R. Number 2352, (iron pipe also being an eastern corner to Gerald Lawrence Owen as recorded in Deed Book 4487, Page 1920 in the Guilford County Register of Deeds), thence with Gerald Lawrence Owen North 40 degrees 28 minutes 17 seconds West distance being 173.50 feet to an iron pipe; thence, still with Gerald Lawrence Owen, South 49 degrees 31 minutes 43 seconds west, distance being 181.26 feet to an iron pipe in an eastern line of the McNairy Family farms, incorporated as recorded in Deed Book 4270, Pages 1852, 1856, 1861 and Deed Book 4272, Page 1308; thence, with the eastern line of the McNairy Farm, North 01 degrees 05 minutes 34 seconds East, distance being 770.43 feet to an iron pipe in the southern line of Kavanagh Associates as recorded in Deed Book 4720, Page 1775, thence, with the southern line of Kavanagh Associates, North 89 degrees 44 minutes 56 seconds East, distance being 407.55 feet to an iron pipe in the western 60 foot right-of-way for Bass Chapel Road, S.R. Number 2348; thence, crossing said 60 foot right-of-way, North 89 degrees 44 minutes 56 seconds East distance being 69.64 feet to an iron pipe in the eastern 60 foot right-of-way for Bass Chapel Road; thence, with the eastern 60 foot right-of-way for Bass Chapel Road and also being the Greensboro City Limit line, South 30 degrees 45 minutes 16 seconds East distance being 532.75 feet to an iron pipe; thence, with the northern 60 foot right-of-way for Lake Jeanette Road being a curve to the left, a chord bearing of South 83 degrees 19 minutes 04 seconds West a chord distance being 65.72 feet and having a radius of 307.73 feet to an iron pipe; thence, still with a curve to the left having a chord bearing of South 64 degrees 09 minutes 56 seconds West, a chord distance being 138.70 feet and having a radius of 307.73 feet to an iron pipe; thence, with the northern 60 foot right-of-way for Lake Jeanette Road, South 51 degrees 08 minutes 28 seconds West, distance being 415.69 feet to the point and place of beginning, containing 9.519 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after August 31, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 1999. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after August 31, 1999.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That June 1, 1999 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than May 21, 1999.

(Signed) Donald R. Vaughan

.....

Motion to make a part of the minutes a report of budget adjustments covering the period of April 10, 1999 to May 10, 1999. (A copy of the report is filed in Exhibit Drawer M., Exhibit #1, which is hereby referred to and made a part of these minutes.)

.....

A motion was unanimously adopted to approve the minutes of the regular City Council meeting on May 4, 1999.

.....

The Mayor introduced an ordinance amending the General Capital Project Fund Budget in the amount of \$380,977. Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Jones and was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

99-97 ORDINANCE AMENDING GENERAL CAPITAL PROJECT FUND BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Capital Project Fund Budget of the City of Greensboro is hereby amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
----------------	--------------------	---------------

410-5501-01.6019	Capital Improvements	\$380,977
------------------	----------------------	-----------

And, that this increase be financed by increasing the following account:

<u>Account</u>	<u>Description</u>	<u>Account</u>
410-5501-01.8620	Donations	\$380,977

(Signed) Claudette Burroughs-White

.....

The Mayor introduced a resolution providing for the giving of notice to voters of the City of Greensboro of the 1999 Biennial Municipal Election and establishing a filing fee in relation thereto.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

92-99 RESOLUTION PROVIDING FOR THE GIVING OF NOTICE TO VOTERS OF THE CITY OF GREENSBORO OF THE 1999 BIENNIAL MUNICIPAL ELECTION AND ESTABLISHING A FILING FEE IN RELATION THERETO

WHEREAS, in order that registered voters of the City of Greensboro may be appropriately notified of the forthcoming biennial municipal election, the City Council shall give notice of such election in accordance with the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That the City Clerk be and she is hereby directed to publish this resolution which shall serve as notice of the regular biennial municipal election for Mayor and City Council to be held on Tuesday, the 2nd day of November, 1999. And as notice of the primary election to be held on Tuesday, the 5th day of October, 1999.

Section 2. That all persons desiring to enter the said primary election shall file notice of their candidacy with the Guilford County Board of Elections; provided, no person may officially file his notice of candidacy before 12:00 noon on the 2nd day of July, 1999, nor after 12:00 o'clock noon on the 6th day of August, 1999, said notice of candidacy to be filed as prescribed by Chapter 163, Section 294.2 of the General Statutes of North Carolina.

Section 3. That, with respect to the seats apportioned to the City at large, only persons who are registered to vote in the City of Greensboro shall be permitted to file notice of candidacy for election to municipal office; provided, that with respect to the seat apportioned to each district within the City, only persons who are registered to vote in the City of Greensboro and who reside within the particular district for which seat they file shall be permitted to file notice of candidacy for election to municipal office. The provision of G.S. 163-294.2(b) shall be applicable.

Section 4. That at the time of filing a notice of candidacy, each candidate for City Council shall pay to the Guilford County Board of Elections a filing fee in the amount of \$25.00 and each candidate for Mayor shall pay to the Guilford County Board of Elections a filing fee in the amount of \$75.00.

Section 5. That registration for the municipal primary election closes at 5:00 p.m. on the 10th day of September, 1999, and registration for the municipal general election closes at 5:00 p.m. on the 8th day of October, 1999.

Section 6. That this resolution shall be published one time not later than July 2, 1999, as notice of the biennial municipal election to be held in 1999, and a certified copy of this resolution shall be filed with the Guilford County Board of Elections as notice to conduct said municipal election as required by law.

.....

Mayor Allen introduced a resolution approving an interlocal agreement for paratransit services among Guilford County, the Greensboro Transit Authority and the City of Greensboro.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Mincello, Perkins and Vaughan. Noes: None.

(Signed) Claudette Burroughs-White

.....

93-99 RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR PARATRANSIT SERVICES AMONG GUILFORD COUNTY, THE GREENSBORO TRANSIT AUTHORITY AND THE CITY OF GREENSBORO

WHEREAS, there is a necessity to establish a joint Community Transportation Management Agency to coordinate transit services among the Greensboro Department of Transportation; Greensboro Transit Authority, Guilford County and the North Carolina Department of Transportation to monitor and report on services which operate within and throughout Guilford County;

WHEREAS, the Greensboro Transit Authority will continue to maintain the management and operation of the Americans with Disabilities Act service within the corporate limits of the City of Greensboro;

WHEREAS, the city and county are authorized under N.C.G.S. §160A-462 and N.C.G.S. §153A-445 to establish joint agencies for the benefit of local government.

WHEREAS, an Interlocal Agreement will benefit the community and this coordinated effort will allow the community to continue to receive funds from the Federal Government and State of North Carolina;

WHEREAS, the Greensboro Transit Authority shall be charged by the County for the fully allocated costs of the Community Transportation Service, which shall be calculated pro rata based on services rendered to the Greensboro Transit Authority, said costs to be paid from the reduction of contracted staff as a result of this Agreement.

WHEREAS, it is deemed in the best interest of the City to enter into an Interlocal Agreement with Guilford County for the operation of Paratransit Services within and throughout Guilford County, and such Agreement is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a mutual Agreement with Guilford County to establish a joint Community Transportation Management Agency to provide paratransit services, is hereby approved pursuant to the authority of N.C.G.S. §160A-462 and N.C.G.S. §153A-445 and the City Manager and the Greensboro Transit Authority are hereby authorized to execute said Agreement on behalf of the City.

.....

John Santuccio, Executive Director of the United Arts Council, praised the City Council for their recent support of the Children's Museum and Triad Stage. Mr. Santuccio spoke to the United Arts Council's need to fund repairs to the roof at their facility, The Carolina Theatre. He stated that their existing funding resources would not cover an estimated shortfall of \$47,000. He requested assistance from City Council to partially fund the repair.

Councilmember Perkins moved that the Council contribute from their contingency fund to the United Arts Council for Carolina Theatre roof repairs in the amount of the actual cost of the roof repair, minus \$15,000 and not to exceed \$47,000. The motion was seconded by Councilmember Johnson and was unanimously adopted by voice vote of the Council.

.....

Council member Jones complimented staff for their recent Human Relations Luncheon.

.....

Councilmember Johnson mentioned that the Mayor had proclaimed May as Foster Care Month. She expressed appreciation to the organizations and individuals who take part in providing foster care to the community.

.....

Councilmember Holliday added Sandra Woodard to the Boards and Commissions data bank for consideration for service on the Human Relations Commission; praised United Service for Older Adults for their recent celebration of volunteer service; and commended the Historical Museum for their recent luncheon.

.....

Councilmember Perkins expressed concern regarding the appearance of newspaper and publications vending machines; presented a slide of a street in the downtown area with many vending stands in one location; and asked the City Manager to request Downtown Greensboro Incorporated to look into possible alternatives for publications displays. He also asked the Manager to organize an opportunity for Greensboro officials and staff to meet with local delegations at the upcoming North Carolina League of Municipalities Town Hall Day.

.....

The Mayor complimented Councilmember Johnson for honors she was recently awarded from Bennett College and commended Chancellor Fort for his eighteen years of service as chancellor of A&T State University.

.....

Councilmember Vaughan moved that the City Council adjourn to closed session to consider and give instructions to the City Attorney concerning the settlement of a claim. The motion was seconded by Councilmember Holliday and was adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:47 P.M.

SUSAN E. CROTTS
DEPUTY CITY CLERK

CAROLYN S. ALLEN
MAYOR
